



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

OCT 26 2015

Thomas R. Kendall
Chief, Planning Branch
Engineering and Technical Services Division
U.S. Army Corps of Engineers San Francisco District
1455 Market St. San Francisco, CA 94103
ATTN: William DeJager

Anne Morkill, Refuge Complex Manager
Don Edwards San Francisco Bay NWR
U.S. Fish and Wildlife Service
1 Marshlands Rd.
Fremont, CA 94555

Subject: Final Environmental Impact Statement for the South San Francisco Bay Shoreline Study:
Alviso Ponds and Santa Clara County Interim Feasibility Study Project, Santa Clara and
Alameda Counties, California. (CEQ # 20150271)

Dear Mr. Kendall and Ms. Morkill:

The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement for the South San Francisco Bay Shoreline Study: Alviso Ponds and Santa Clara County Interim Feasibility Study Project, pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508) and our NEPA review authority under Section 309 of the Clean Air Act.

EPA reviewed the Draft Environmental Impact Statement and provided comments to the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers on February 23, 2015. We rated the DEIS as Environmental Concerns – Insufficient Information (EC-2) due to our concerns regarding adverse impacts to water resources, watershed indicators, restoration, flooding, air quality, climate change and remobilization of mercury.

The DEIS did not identify a preferred alternative; however, in a letter dated February 2, 2015, the Corps clarified that Alternative 3 is the preferred alternative. We note that this is not specified in the FEIS. The Corps has also identified Alternative 3 as the least environmentally damaging practicable alternative per Clean Water Act Section 404 and it is the locally preferred plan. Alternative 3 includes ecosystem restoration within the ecotone to support and expedite restoration of tidal marsh habitat and protect these areas from sea level rise. While we support the selection of Alternative 3, we recommend that the ROD include more information concerning when and how restoration of ponds would occur, as well as how this restoration will be funded. We also recommend that the Record of Decision identify Alternative 3 as the environmentally preferable alternative.

EPA appreciates the opportunity to review this FEIS. When the ROD is released, please send one hard copy and three CDs to the address above (mail code: ENF-4-2). If you have any questions, please

contact me at (415) 972-3521, or have your staff contact James Munson, the lead reviewer for this project. James can be reached at (415) 972-3852 or Munson.James@epa.gov.

Sincerely,



Kathleen Martyn Goforth, Manager
Environmental Review Section

cc: Cay Goude, Assistant Field Supervisor, USFWS
Larry Goldzband, Executive Director, BCDC
Bruce Wolfe, Executive Officer, SF Bay Regional Water Quality Control Board
Sam Schuchat, Executive Officer, California Coastal Conservancy
Beau Goldi, Chief Executive Officer, Santa Clara Valley Water District